

REMARKS

The present invention relates to novel cancer vaccines. More particularly, the invention relates to using hapten-modified tumor cells to elicit an anti-tumor T cell response in a cancer patient thereby providing a therapeutic benefit. Claims 2, 6 and 22 are currently pending in the application, and claim 2 is currently amended herein. Claims 3 and 9-21 have been withdrawn.

Rejection

Claims 2, 6 and 22 stand rejected under 35 U.S.C. §103(a) for being obvious in view of Hoover, et al. (Cancer 55:1236-1243 (1985)) and U.S. Patent No. 5,290,551 (“the ‘551 patent”) for the reasons set forth in the previous Office Action. The previous Office Action states that Hoover et al. teach treatment of colon carcinoma using a vaccine that includes colon carcinoma cells and BCG as an adjuvant, and the ‘551 patent teaches treatment of melanoma with a haptenized melanoma cell vaccine.

Response

The Examiner states that she was not persuaded by Applicant’s argument in the previous Response that Hoover et al. and the ‘551 patent do not teach or suggest a single administration of cyclophosphamide because the claims, as amended previously, are not drawn to a method consisting of a single administration of cyclophosphamide, but rather to a method comprising a single administration of cyclophosphamide. While not necessarily agreeing with the Examiner’s interpretation of claim 2, solely in an effort to expedite prosecution of this matter, Applicant has amended claim 2 to recite “consisting of” language in place of “comprising” language. Applicant contends that the Examiner’s rejection is rendered moot by this amendment. Applicant requests reconsideration and withdrawal of the rejection.

Summary

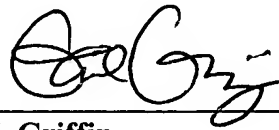
Applicant respectfully submits that each rejection of the Examiner to the claims of the present application has been either overcome or is now inapplicable, and that each of claims 2, 6, and 22, is in condition for allowance. Reconsideration and allowance of each of these claims are respectfully requested at the earliest possible date.

Respectfully submitted,

DAVID BERD

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(Date)

By: _____



Gail H. Griffin

Registration No. 51,941

Louis W. Beardell, Jr.

Registration No. 40,506

MORGAN, LEWIS & BOCKIUS LLP

1701 Market Street

Philadelphia, PA 19103

Telephone: (215) 963-5000

Direct Dial: (215) 963-5265

Facsimile: (215) 963-5001

E-Mail: ggriffin@morganlewis.com

Attorney for Applicants

Enclosure: Petition for three month extension of time and authorization to charge fee